

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

**HAILEY COOK, ET AL., Each Individually and
on Behalf of All Others Similarly Situated**

PLAINTIFFS

vs.

No. 4:20-cv-2364

**EMSI HOLDING COMPANY, EXAMINATION
MANAGEMENT SERVICES, INC., and JAMES CALVER**

DEFENDANT

NOTICE OF SETTLEMENT

The purpose of this Notice of Settlement is to apprise the Court that Plaintiffs and Defendant James Calver ("Calver") have reached a settlement in principle that will resolve all claims asserted in this lawsuit as between each of them. Plaintiffs previously filed suggestions of bankruptcy as to Defendants Examination Management Services, Inc. and EMSI Holding Company, (Dkt. # 44, 53), and Plaintiffs' claims against these entities are accordingly subject to an automatic stay. See 11 U.S.C. § 362(a)(1). Defendant Calver has not yet appeared in this action, and on December 18, 2020, the Court stayed the action against Calver for a period of 90 days, or until March 18, 2021. (Dkt. # 58.)

On January 5, 2021, the Court entered a notice setting an initial conference for February 4, 2021. (Dkt. # 60.) Plaintiffs file this Notice to advise the Court that Plaintiffs and Calver are in the process of finalizing settlement documents and expect to file the necessary settlement papers with the Court within thirty (30) days from the filing of this Notice of Settlement. Plaintiffs respectfully request that the initial conference be continued and all deadlines remain stayed while Plaintiffs and Calver finalize their settlement.

Although Calver has not formally appeared, the Parties' counsel have conferred, and Calver fully agrees with this Notice.

Respectfully submitted,

**HAILEY COOK, et al., Each
Individually and on Behalf
of All Others Similarly
Situating, PLAINTIFFS**

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CERTIFICATE OF SERVICE

I certify that on January 20, 2021, the foregoing document was filed with the ECF filing system, which will cause service to be made upon all counsel of record, and was emailed to counsel for Defendant James Calver:

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